

Message Text

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ACTION IO-14

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-05 H-01 INR-10

L-03 NSAE-00 NSC-05 PA-01 SP-02 SS-15 ICA-11

HA-05 AID-05 EB-08 OMB-01 TRSE-00 AF-10 ARA-10

EA-10 EUR-12 NEA-10 /139 W

-----126022 012326Z /70/63

R 012249Z MAY 78

FM USMISSION USUN NEW YORK

TO SECSTATE WASHDC 1088

INFO USMISSION GENEVA

LIMITED OFFICIAL USE USUN NEW YORK 01747

EO 11652: NA

TAGS: SHUM, SOCI

SUBJECT: 64TH ECOSOC--IMPLEMENTATION OF THE COVENANT ON
ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AGENDA ITEM 5

REF: USUN 1599

1. MISSION HAS DATAFAXED TO IO/HR, HEWITT A DRAFT
DECISION PERTAINING TO ESTABLISHMENT OF THE SESSIONAL
WORKING GROUP TO REVIEW THE COVENANT ON ECONOMIC, SOCIAL
AND CULTURAL RIGHTS.

2. ALTHOUGH TWO MEMBERS OF THE WESTERN GROUP, CANADA
AND FINLAND, ARE COSPONSORING THIS RESOLUTION, WE FIND
THAT THE TEXT IS UNACCEPTABLE. THE EC-9 SHARE OUR VIEWS.

3. OUR PROBLEMS WITH THE TEXT ARE AS FOLLOWS.

A. OPERATIVE PARA (A) LIMITS PARTICIPATION IN
THE GROUP TO STATES PARTIES AND THE DISPOSITION OF THREE
SEATS TO EACH REGIONAL GROUP DOES NOT IN FACT REPRESENT
EQUITABLE DISTRIBUTION IN VIEW OF THE DIFFERENT SIZES OF
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EACH REGIONAL GROUP. THIS FORMULA DEPRIVES SOME GROUPS,
SUCH AS THE AFRICANS, AT THE EXPENSE OF EASTERN EUROPEANS
WHICH WOULD BE OVERREPRESENTED. WE WOULD PREFER A GROUP
COMPOSED OF ONE FROM EACH REGION RATHER THAN A GROUP
COMPOSED OF AN EVEN NUMBER FROM EACH REGION.

B. OPERATIVE PARA (B) PROVIDES FOR MEMBERSHIP

OF NON MEMBERS OF THE COUNCIL WHICH WE BELIEVE IS CONTRARY TO ARTICLE 72 OF THE ECOSOC RULES OF PROCEDURES WHICH PROVIDES THAT NON MEMBERS MAY BE INVITED TO PARTICIPATE IN MEETINGS OF SESSIONAL WORKING GROUPS BUT THAT THEY DO NOT HAVE THE RIGHT TO VOTE. THUS, THEY CANNOT HAVE THE SAME STATUS AS MEMBERS OF ECOSOC.

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C. OPERATIVE PARA (E) OF THE TEXT PROVIDES FOR REVIEW IN 1981 TAKING INTO ACCOUNT THE PRINCIPLE OF EQUITABLE GEOGRAPHIC DISTRIBUTION IN RELATION TO STATES PARTIES. WE FIND THIS UNACCEPTABLE IN THAT EQUITABLE GEOGRAPHIC DISTRIBUTION APPLIES TO THE WHOLE MEMBERSHIP OF ECOSOC AND NOT SIMPLY TO THE NUMBER OF STATES PARTIES.

4. THE EC-9 WISH TO SUBMIT AMENDMENTS TO THE TEXT WITH RESPECT TO PARAS (A), (B), AND (C). THE FRG WILL PROPOSE THAT PARA (B) BE AMENDED SO THAT THE PRESIDENT MAY APPOINT TO THE WORKING GROUP STATES WHICH ARE MEMBERS OF ECOSOC BUT WHICH ARE NOT STATES PARTIES. PARA (E) WOULD BE AMENDED TO DELETE REFERENCE TO THE PRINCIPLE OF EQUITABLE GEOGRAPHIC DISTRIBUTION. WE WOULD APPRECIATE DEPT COMMENTS ON THESE AMENDMENTS AND COMMENTS ON THE PREFERRED ALTERNATIVES TO PARA (A).

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5. IN THE EVENT THAT NO AMENDMENTS ARE ACCEPTED THE EC-9 WOULD ABSTAIN ON THIS TEXT AS IT STANDS. WE RECOMMEND THAT THE US FOLLOW THE EC-9 POSITION.

6. WE WOULD ALSO SUPPORT A MOVE TO POSTPONE THE WHOLE DECISION. YOUNG

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: ECONOMIC RIGHTS, AGREEMENT DRAFT, COVENANTS, TERMS OF REFERENCE
Control Number: n/a
Copy: SINGLE
Draft Date: 01 may 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978USUNN01747
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780186-0067
Format: TEL
From: USUN NEW YORK
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t197805104/aaaadleg.tel
Line Count: 100
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: a299a494-c288-dd11-92da-001cc4696bcc
Office: ACTION IO
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 78 USUN NEW YORK 1599
Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 05 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: N/A
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 2526211
Secure: OPEN
Status: NATIVE
Subject: 64TH ECOSOC--IMPLEMENTATION OF THE COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS, AGENDA ITEM 5
TAGS: SHUM, SOCI, PORC, ECIN
To: STATE
Type: TE
vdkgvwkey: odbc://SAS/SAS.dbo.SAS_Docs/a299a494-c288-dd11-92da-001cc4696bcc
Review Markings:
Sheryl P. Walter
Declassified/Released
US Department of State
EO Systematic Review
20 Mar 2014
Markings: Sheryl P. Walter Declassified/Released US Department of State EO Systematic Review 20 Mar 2014